

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.04.2017
CORAM
THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9609 of 2017

Varaaki
S/o.Radhakrishnan
Journalist and Founder and President
Indian Makkal Mandram
No.2/3, Sudhananda Bharathi Street
Ganapathipuram
East Tambaram
Chennai - 600 059. Petitioner

Vs.

- 1 Union of India
rep. by its Secretary to Government
Department of Health
A Wing, Nirman Bhavan
Maulana Azad Road
New Delhi - 110 011.
- 2 Indian Nursing Council (INC)
8th Floor, NBCC Center
Plot No.2, Community Center
Okhla Phase-I
New Delhi - 110 020.
- 3 The Secretary to Government
Government of Tamilnadu
Health and Family Welfare Department
Secretariat, Fort St. George
Chennai - 600 009.
- 4 Tamilnadu Nurses and Midwives Council
Jayaprakash Narayanan Maligai
140, Santhome High Road
(Near Santhome Church)
Mylapore, Chennai-4.
- 5 The Director
Local Fund Audit, 4th Floor
Kuralagam Buildings
Chennai.

- 6 The DEO/Divisional Engineering Officer
Jayaprakash Narayan Maaligai
"Kuil Thottam"
No.56, Santhome High Road
Chennai - 4.
- 7 The Director
Central Bureau of Investigation
Shastri Nagar, Adyar
Chennai - 20.
- 8 The Director
Vigilance and Anti Corruption Department
No.293, MKN Road
Alandur, Chennai-16.
- 9 Dr. Josephine R. Little Flower
- 10 Paranjothi
Directorate of Medical Services
DMS Complex
361, Anna Salai, Chennai-6.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus (i) directing the 1st respondent to form a monitoring committee or any other committee deem fit by this court to regulate the admission of students into the nursing training institutions under the control of the 4th respondent-Council; (ii) directing the 1st respondent to form a monitoring committee or any other committee deem fit by this court to regulate the functioning of the nursing training institutions under the control of the 4th respondent-Council; (iii) directing respondents 1 to 4 to initiate appropriate department enquiry upon the said Dr. Josephine R. Little Flower for her financial irregularities, mal-administration and swindling of funds during the period of tenure i.e., 2003 to 2012 holding the post of Deputy Registrar and the Registrar of the 4th respondent-Council based upon the representation/complaint dated 5.4.2017 made by the petitioner; and (iv) directing the 7th respondent to investigate upon the financial irregularities, mal-administration and swindling of funds committed by Dr. Josephine R. Little Flower during the period of her tenure, i.e., 2003 to 2012, holding the post of Deputy Registrar and the Registrar of the 4th respondent-Council and one Paranjothi, the then President of the 4th respondent-Council based upon the representation/complaint dated 5.4.2017 made by the petitioner.

For Petitioner : Mr.B.Janakiram

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 3 to 5, 8
and 10

ORDER

(Order of the Court was made by M.Sundar,J.)

This writ petition has been filed as a public interest litigation.

2. The writ petition primarily pertains to Tamil Nadu Nurses and Midwives Council, which, we are informed, is a statutory body under the supervision of the Government of Tamil Nadu.

3. The prayers in the writ petition are manifold. The prayers include formation of a Monitoring Committee for regulating admissions of students in institutions under the control of the fourth respondent. There are other prayers too.

4. In the light of the order we propose to pass (after hearing the learned counsel at the bar), we do not delve much into the other limbs of the prayer.

5. The learned counsel for the petitioner states that he has sent a representation dated 5.4.2017 to various authorities, including the official respondents before us, and the same is found at page 44 of the typed set of papers.

6. The learned counsel for the petitioner submits that he would be satisfied if there is a direction to the official respondents to consider and dispose of his above said representation in accordance with law. The learned counsel submits that he abridges the prayer in the writ petition to this effect.

7. We have heard the learned Additional Government Pleader who submits that the third respondent, viz., the Secretary to Government, Government of Tamil Nadu, Health and Family Welfare Department, under whom the fourth respondent functions, would consider and pass orders on the above said representation of the writ petitioner dated 5.4.2017.

8. We, therefore, direct the third respondent before us, namely, the Secretary to Government, Government of Tamil Nadu,

Health and Family Welfare Department, to consider the above said representation of the writ petitioner dated 5.4.2017 and dispose of the same in accordance with law, after giving adequate opportunity to all concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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Union of India
Department of Health
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Alandur, Chennai-16.

+1cc to Mr.Janakiram, Advocate, S.R.No.23971
+1cc to the Government Pleader, S.R.No.24137

W.P.No.9609 of 2017

SAI (CO)
RS (04/05/2017)



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